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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,926	12/12/2000	Kiyomi Sakamoto	2000 1699A	3794

7590

11/16/2005

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EXAMINER
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SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/733,926

Applicant(s)

SAKAMOTO ET AL

Examiner

Steven P. Sax

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 18-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This application has been examined. The election filed 8/25/05 has been received. Claims 1-17 are elected.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Emens et al (6463343).

4. Regarding claim 1, Emens et al show a command control device for executing a command that corresponds to a display image selected by a user (abstract, Figure 2A, column 2 lines 1-7), including: an input section provided with an instruction determined by the user (column 1 lines 55-65, column 2 lines 1-15 and 55-64), an output section for outputting a display screen that presents various information to the user (column 2 lines 60-67, column 3 lines 1-11, column 4 lines 15-29), an image

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capture section for capturing the display image corresponding to the command from the display screen (column 3 lines 25-45), a command control information generator for generating command control information including regarding the captured image (column 4 lines 20-35 and 47-62), a command control information storage for storing the information (column 4 lines 60-67), a command presenter for making the output section present the image corresponding to the command control information stored so that the user can select the command to be executed (column 6 lines 5-15 and 25-55), and a command selector for executing the command corresponding to the image according to the instruction provided by the input section (column 6 lines 30-45).

5. Regarding claim 2, the image capture section captures the image of an area selected by the user from the screen according to the instruction (column 4 lines 40-50).

6. Regarding claim 3, the image capture section automatically captures all or part of the display screen according to prescribed conditions while an application corresponding to the command is executed (column 4 lines 45-60).

7. Regarding claim 4, the conditions are based either on number of executions of the command (column 6 lines 5-15 and 30-43).

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8. Regarding claim 5, the image is a moving picture varying with time (column 7 lines 10-15, column 5 lines 15-25).

9. Regarding claim 6, the system has a communication section for connecting to the Internet and an image is presented as a bookmark of a browser for presenting information communicated (column 7 lines 20-45).

10. Regarding claim 7, the image is a moving picture varying with time (column 7 lines 10-15, column 5 lines 15-25).

11. Regarding claim 8, image and a text list are used as bookmarks (column 7 lines 40-58).

12. Claims 9-16 show the same features as 1-8 respectively and are rejected for the same reasons.

13. Claim 17 shows the same features as claim 9 and is rejected for the same reasons.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571)


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272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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STEVEN SAX  
EXAMINER